

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NICHOLAS DEPALMA, PAUL MACCHIA
and MAULIK SANGHAVI,

Plaintiffs,

v.

NEW JERSEY TURNPIKE AUTHORITY,
ET AL.,

Defendants.

Civil Action No. 3:20-cv-03210-FLW-DEA

**ORDER DISMISSING FIRST CAUSE OF
ACTION AND REMANDING TO NEW
JERSEY SUPERIOR COURT**

THIS MATTER having come before the Court upon the joint submission of the parties;
and the Court having considered same; and good cause appearing for the entry of this Order.

IT IS on this ____ day of _____, 2022

ORDERED THAT:

1. The First Cause of Action of the Complaint is dismissed with prejudice solely on grounds of lack of subject matter jurisdiction. The dismissal of the First Cause of Action with prejudice shall not have any precedential or law of the case impact upon the adjudication on the merits of the parallel state law claims in the Second Cause of Action.
2. The Second Cause of Action is remanded to the New Jersey Superior Court, Law Division, Monmouth County and shall bear Docket Number MON-000799-20.
3. The Third Cause of Action is remanded to the New Jersey Superior Court, Law Division, Monmouth County and shall bear Docket Number MON-000799-20.
4. Defendants shall have the right to file a Motion to Dismiss the Third Cause of Action after this matter is remanded to the New Jersey Superior Court, Law Division, Monmouth County.

5. Plaintiffs shall have the right to file a Motion to Revive the Fourth Cause of Action after this matter is remanded to the New Jersey Superior Court, Law Division, Monmouth County.
6. Defendant shall have the right to file a Motion for a Change of Venue after this matter is remanded to the New Jersey Superior Court, Law Division, Monmouth County.
7. After this matter is remanded to the New Jersey Superior Court, Law Division, Monmouth County it shall bear Docket Number MON-000799-20 and R. 4:24-1(d) shall be applicable and all parties shall be afforded all of the rights and remedies provided for therein.

Hon. Rukhsanah L. Singh
United States Magistrate Judge